

In the Claims:

Please amend the claims 3-6 and 11 as follows:

1-(amended) A nucleus prosthesis for insertion in an intervertebral cavity, the prosthesis Device (3) for the installation of a nucleus prosthesis characterized by the fact that it comprises a first and a second includes: a nucleus prosthesis (1) made up of two interlocking structural component, each parts made of a semi-rigid, deformable elastic material suitable for supporting a compressive load; and in that, the second structural component inserts into the first structural component

an insertion assembly (2)

the elastic strain of the nucleus prosthesis (1) making possible its insertion in the vertebral cavity thanks to the insertion assembly (2) which before insertion is a part of the device (3) and which can be removed thereafter.

2-(amended) Device (3) for the installation of a The nucleus prosthesis (1) according to claim 1 characterized by the fact that the nucleus prosthesis (1) consists of two parts:

- the first structural component a deformable female part (12) which takes the form of is preferably a hollow sphere flattened at the poles and has, forming a central cavity (121) accessible via a deformable opening (122) in the component, and an interface to which connected to a rigid stem (21) can connect via by a flexible connection (124), the central cavity (121) comprising an opening (122), which is also deformable, and

- the second structural component a male part (11) which is substantially a full sphere (111), elastically deformable, in order to take a shape mating which is able to pass through the deformable opening (122) into engagement with the central cavity (121) due to the deformable opening (122), in order to form an elastic block which cannot be

expelled from its housing when the prosthesis is subjected to the imposed mechanical forces.

3-(twice amended) Device (3) for the installation of a prosthesis (1) according to claims 1 and 2 characterized by the fact that the device comprises

insertion tubes (23), (24), and (25) which guide the first structural component (12) of the nucleus prosthesis (1) into the to-be-filled intervertebral cavity and, after insertion, hold the first structural member in place; and

a ~~its insertion means (2) are made of one~~ rigid stem (21) connected to the first structural component ~~female part (12) via~~ by the flexible connection (124) , the rigid stem guiding the second structural component (11) through the tubes (23), (24), and (25) into engagement with the central cavity (121) of the first structural component (12) after insertion into the intervertebral cavity.

of tubes (23), (24), and (25) being used to introduce the nucleus prosthesis (1) into the to-be-filled intervertebral cavity.

4-(twice amended) A nucleus prosthesis Device (3) for the installation of a nucleus prosthesis (1) according to one of the preceding claims characterized by the fact that the deformable opening (122) of the first structural component ~~female part (12) has a~~ circular opening (122) cutting ~~cuts~~ a sector through the thickness of the first structural component ~~means (12), the opening (122) having a constriction (123) that prevents~~ expulsion of the second structural component (11) after the introduction of the second structural component ~~male part (11).~~

5- CANCEL WITHOUT PREJUDICE Device (3) for the installation of a nucleus prosthesis (1) according to one of claims 1 to 4 characterized by the fact that the female part (12) has a slit (126) making a sectorial cut through the thickness of the means (12); and having a constriction (123) that avoids the expulsion after the introduction of the male part (11).

6- (twice amended) A nucleus prosthesis Device (3) for the installation of a nucleus prosthesis (1) according to ~~any of the preceding~~ claim[[s]] 4 [[or 5]] characterized by the fact that the second structural component male part (11) comprises ~~in certain cases and preferably at its end~~ a fixation (116) allowing the passage of a screw for fixing on the bone in order, this being necessary, in certain cases, to better ensure [[a]] good anchoring of the prosthesis (1).

7- (amended) A nucleus prosthesis Device (3) for the installation of a nucleus prosthesis (1) according to claim [[1]] 3 characterized by the fact that the ~~nucleus prosthesis 1, elastically deformable, includes two parts:~~

a means (12) female part,

a means (11) male part,

~~the means (12) having the shape of an open ring to let in the male part first structural member (12 11), comprising~~ comprises a thread (127f) for and receiving the a guidance stem (21) whose end has a corresponding is thread[[ed]], the aforementioned rigid stem (21) also allowing the ~~male part (11) of the prosthesis (1) to be freely guided until its insertion and then to be able to withdraw~~ withdrawal of the stem (21) by simple unscrewing, once the prosthesis (1) is in place.

8-(amended) A nucleus prosthesis Device (3) for the installation of a nucleus prosthesis according to claim 7 characterized by the fact that: ~~the means (12) includes an opening (122) allowing the introduction of the male part (127a) of the means (11)~~

the second structural component means (11) preferably has the shape of a champagne cork serving as with the role of a one way device comprising a deformable fully spherical head (111) as well as, if necessary, a slightly extending cylindrical body, ~~and being placed at the periphery of the ring.~~

9-(amended) Device (3) for the installation of a nucleus prosthesis according to claim 8 characterized by the fact that ~~the~~ anchoring of the male part (11) in the female part is

ensured by a oneway shoulder (128m) backstop system which overlaps the male parts (128m) and the female part (128f), ~~the aforementioned system being integrated in the shape of the parts during manufacture.~~

10- (amended) A nucleus prosthesis Device (3) for the installation of a nucleus prosthesis according to claim 8 characterized by the fact that a thickness of second structural component (11) ~~this spherical head of the nucleus prosthesis (1) has a male part which slightly exceeds the thickness of the first structural component (12) in order to ring which has the function, during the dynamic stresses, of initially compress[[ing]] the second structural component so as to better lock the second structural component into the central cavity spherical part of the aforementioned prosthesis (1), by increasing by pressure the one-way function, which makes impossible the expulsion of the male part.~~

11- (twice amended) A nucleus prosthesis Device (3) for the installation of a nucleus prosthesis according to any preceding claims 1 to 8 characterized by the fact that its ~~prosthesis (1) possesses in its female part an insert in the first structural component which makes it possible, by X ray visualization, to check the stability of the aforementioned prosthesis over time as well as disassembly of the stem (21) once the prosthesis is installed.~~

12- (new claim) The nucleus prosthesis of claim 11, wherein the means of visualization is a cylindrical metal insert which is clearly distinguishable from the first and second structural component by X ray visualization, the insert having a clear orientation when viewed by X ray, the orientation of the insert indicating the orientation of the prosthesis.

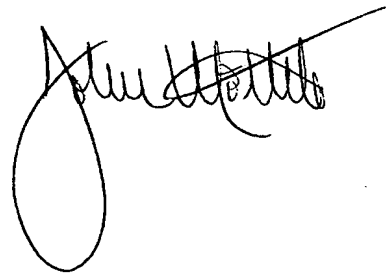
Conclusion

Applicant respectfully submits that no new matter has been entered by this amendment. Any limitations to the claims are made solely for the purpose of expediting the prosecution of the application and, unless otherwise expressly stated, are not made to narrow, vis-à-vis the prior art, the scope of protection which any subsequently issuing patent might afford. Again, if the Examiner has further questions, he is invited to contact

the undersigned at phone 011-4122-747-7849, fax at 011-4122-347-7887 (Geneva is 6 hours ahead of Eastern Std Time), or e-mail at moetteli@email.com.

The Undersigned authorizes the Commissioner to charge any fee or credit any overpayment of any fee under 37 CFR §1.16 and §1.17 which may be required in this application to the deposit account of MOETTELI & ASSOCIES SARL, no. 50-2621.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Moetteli', with a large, stylized loop at the bottom left.

Date : July 22nd, 2004

John MOETTELI

U.S. Reg. No. 35,289